

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Michael S. Dahl, David Scott  
Huber, individually and on behalf  
of all others similarly situated,

Plaintiffs,

Civil No. 05-2207 (RHK/AJB)

vs.

**DISQUALIFICATION AND  
ORDER FOR REASSIGNMENT**

R.J. Reynolds Tobacco Company,  
R.J. Reynolds Tobacco Holdings,  
Inc.,

Defendants.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

**IT IS HEREBY ORDERED**, that pursuant to this Court's Assignment of Cases Order dated February 10, 2003, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be filed in the above-captioned case.

Dated: September 27, 2005

s/Richard H. Kyle  
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RICHARD H. KYLE  
United States District Judge